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8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA – OAKLAND

10 PAUL McCLENDON,) Case No.: C10-01980 SBA
 11 Plaintiff,)
 12 vs.) **STIPULATION & ORDER EXTENDING
 13 COUNTY OF ALAMEDA, a governmental) TIME TO COMPLETE ADR
 14 entity; GREGORY J. AHERN, in his capacity) SETTLEMENT CONFERENCE
 15 as Sheriff for COUNTY OF ALAMEDA;)
 16 DAVID L. COCHRAN, individually, and in)
 17 his capacity as a deputy sheriff for COUNTY)
 18 OF ALAMEDA; and DOES 1-25, inclusive,)
 19 Defendants.)
 20 _____**

21 This case was scheduled for a settlement conference with Chief Magistrate Judge Maria-
 22 Elena James on January 5, 2011. Due to Judge James' health, the settlement conference was
 23 taken off calendar and the case re-assigned to Magistrate Judge Larson, who scheduled the
 24 settlement conference to take place on February 11, 2011. On January 10, 2011 the Court issued
 25 a new Order re-assigning the settlement conference to Magistrate Judge Donna Ryu and ordered
 26 the ADR/settlement conference to be completed within 90 days or by April 10, 2011.

27 With the assignment of the case to Judge Ryu and the additional passage of time, the
 28 parties have not been able to agree on a date in the next 60 days that is available on Judge Ryu's
 calendar, both plaintiff and defense counsel's calendar (defense counsel Clyde Thompson is
 scheduled to start jury trials in Sonoma Superior Court beginning 3/18/2011 and 4/8/2011; both
 cases have previous trial calls) and the calendars of the risk management and client

1 representatives that have settlement authority and are required to attend the settlement
2 conference.

3 Counsel for plaintiff and defendants have conferred on numerous occasions as well as
4 with Ms. Ivy Garcia Judge Ryu's Calendar Clerk and Courtroom Deputy in an effort to select a
5 mutually acceptable settlement conference date for all concerned. Given the trial calendars of
6 counsel and the crowded calendars of the Court and the defendants' risk management/decision-
7 makers, the parties submit this Stipulation and proposed Order to extend the deadline to
8 complete ADR until May 31, 2011.

9 The Parties have been cooperating while completing discovery.

10 The next Case Management Conference is now set for April 21, 2011. The parties
11 request the Court re-set this Case Management Conference until after the settlement conference
12 as it will likely be a more productive use of the Court's time.

13 IT IS SO STIPULATED.

14 Dated: February 14, 2011. LAW OFFICES OF GAYLA B. LIBET

15
16 By: */s/ Gayla B. Libet
17 Gayla B. Libet
18 Attorneys For Plaintiff
19 *Ms. Libet provided her consent that this
20 document be electronically filed.

21 Dated: February 14, 2011. HAAPALA, THOMPSON & ABERN, LLP

22 By: /s/ Clyde A. Thompson
23 Clyde A. Thompson
24 Attorneys For Defendants
25 COUNTY OF ALAMEDA and
26 SHERIFF GREGORY J. AHERN

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ORDER

PURSUANT TO STIPULATION AND FOR GOOD CAUSE SHOWN, IT IS
ORDERED that the parties time to complete ADR/settlement conference is extended and shall
be completed by May 31, 2011.

IT IS FURTHER ORDERED that the Case Management Conference currently scheduled on April 21, 2011, is continued to June 2, 2011 at 3:15 p.m.

Dated: February 18, 2011

Honorable Sandra Brown Armstrong
United States District Court Judge

Honorable Sandra Brown Armstrong
United States District Court Judge

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